

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JEROME W. DEWALD,

Plaintiff,

-v.-

DONALD J. TRUMP, NY SECRETARY OF
STATE, ROBERT J. RODRIGUEZ, *in his
official capacity as NY Secretary of State*,
RUDY GIULIANI, MARK MEADOWS,
SIDNEY POWELL, JOHN EASTMAN,
KENNETH CHESEBRO, JENNA ELLIS,
RAY SMITH, JEFFREY CLARK, MICHAEL
ROMAN, MISTY HAMPTON, ROBERT
CHEELEY, SCOTT HALL, STEPHEN LEE,
TREVIAN KUTTI, DAVID SHAFER,
SHAWN STILL, and CATHY LATHAM,

Defendants.

23 Civ. 7833 (KPF)

ORDER

KATHERINE POLK FAILLA, District Judge:

The Court is in receipt of Defendant Trump’s March 6, 2024 letter concerning the recent decision by the United States Supreme Court in *Trump v. Anderson*, 601 U.S. ____ (2024), which “held that the power to enforce Section Three of the Fourteenth Amendment rests solely with Congress.” (Dkt. #19). The Court is also in receipt of Plaintiff’s letter, dated March 6, 2024, which requests (i) leave to amend his complaint in light of the *Trump v. Anderson* decision; (ii) leave to cure the deficiencies in service claimed by the New York Attorney General in his letter of February 27, 2024 (Dkt. #16); and/or (iii) a ruling that the Attorney General’s clients “have been constructively served as witnessed by the fact he is actively participating in the legal proceedings using [the] electronic filing system.” (Dkt. #20).

The Court hereby ORDERS Plaintiff to file a letter on or before **April 1, 2024**, explaining in detail why he should be granted leave to amend his complaint pursuant to Federal Rule of Civil Procedure 15, in view of the *Anderson* decision. The Court shall address Plaintiff's request for leave to cure any deficiencies in the service of the remaining Defendants following its determination of Plaintiff's request for leave to amend.

SO ORDERED.

Dated: March 7, 2024
New York, New York

A handwritten signature in blue ink, reading "Katherine Polk Faila".

KATHERINE POLK FAILLA
United States District Judge